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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/772,860
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al.
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25655A

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement as Provided by 34 CFR 1.97(b) Return Postcard
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Firm or Individual	Heidi M. Berven
Signature	
Date	May 3, 2004

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Typed or printed	Wanda C. Bland
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Date	May 3, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Louis Chupak, et al.

EXAMINER : Unknown

SERIAL NO. : 10/772,860

ART UNIT : Unknown

FILED : February 6, 2004

PAPER NO :

FOR : "Antibacterial Agents"

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

The Information Disclosure Statement submitted herewith is being filed before the mailing of the first Office Action on the merits.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08 (1449), marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Respectfully submitted,

Date: May 3, 2004

By: 

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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/772860
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25655A

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,313,307	11-06-2001	Ennis, et al	
		US- 6,051,716	04-18-2000	Hutchinson, et al	
		US- 5,614,535	03-25-1997	Juraszyk, et al	
		US- 5,565,571	10-15-1996	Barbachyn, et al	
		US- 6,271,383	08-07-2001	Gravestock, et al	
		US- 5,981,528	11-09-1999	Gravestock, et al	
		US- 5,523,403	06-04-1996	Barbachyn, et al	
		US- 5,968,962	10-19-1999	Thomas, et al.	
		US- 5,627,181	05-06-1997	Riedl, et al	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 01/46185	06-28-2001	Hester, et al.		
		WO 96/15130	05-23-1996	Barbachyn, et al.		
		WO 95/25106	09-21-1995	Yamada, et al.		
		WO 97/09328	03-13-1997	Hutchinson, et al.		
		WO 99/40094	08-12-1999	Raddatz, et al.		
		WO 98/54161	12-03-1998	Hester, et al.		

Examiner
SignatureDate
Considered

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(Use as many sheets as necessary)

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Application Number	10/772860
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25655A

Sheet	2	of	3
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U. S. PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		DE 198 05 117	08-12-1999	Raddatz, et al		
		DE 199 01 306	07-20-2000	Bartel, et al.		

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/772860
		Filing Date	February 6, 2004
		First Named Inventor	Louis Chupak, et al.
		Art Unit	Unknown
		Examiner Name	Not yet assigned
Sheet 3	of 3	Attorney Docket Number	PC25655A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Brickner, S., et al, "Oxazolidinone Antibacterial Agents", Current Pharmaceutical Design, 1996, vol. 2, pges 175-194.	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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